IF

IN THAT NITED STATES PATENT AND TRADEMARK OFFICE

Application No.

10/725,276

Confirmation No.: 1816

First Named Inventor

Jon ADLER

Filed

December 2, 2003

TC/A.U.

: 1632

Examiner

Michael Branock 100337.54289D2

Docket No. Customer No.

23911

Title

Functional Assays That Use The T1R2 Taste Receptor to

Identify Potential Taste Modulators

Response to Non-Compliant Amendment
Request That This Response be Based on Exigent Circumstances

Mail Stop Commissioner for Patents P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Amendment dated December 9, 2004, submitted herewith is a complete listing of all of the claims in the application. Regarding item 1, the objection to the amendment to the specification, please note that the Amendment to insert continuity data was previously submitted on a separate page. Attached hereto is a courtesy copy of that portion of the amendment for your convenience.

It is requested that the response submitted today be considered timely. Attorneys for applicants were unable to file the response yesterday, January 10, 2005, due to a fire which took place in the workplace at approximately 11:45 am. This fire resulted in the closing of the building by the fire department and reentry into the building was denied until the following day. We are therefore submitting this response today and request that the Preliminary Amendment be entered in the present application. If additional information is required, please

· . •

Serial No. 10/725,276

advised the undersigned. Additionally, yesterday as soon as the undersigned discovered that they would not be permitted to access their files physically or electronically (as the undersigned's office was closed and the computer system shut down because of an electrical fire), a call was made to Examiner Branock. He graciously indicated that he would arrange for this response to be considered

timely and processed because of exigent circumstances

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #100337.54289D2).

Respectfully submitted,

January 11, 2005

Robin L. Teskin

Registration No. 35,030

CROWELL & MORING LLP Intellectual Property Group P.O. Box 14300 Washington, DC 20044-4300 Telephone No.: (202) 624-2500 Facsimile No.: (202) 628-8844

RLT:ch